

ORDINANCES INTRODUCED

38.51.16

**AN ORDINANCE AMENDING CHAPTER 375 OF
THE CODE OF THE CITY OF ALBANY (ZONING)
CHANGING THE ZONING CLASSIFICATIONS OF
160, 194 & 196 MYRTLE AVENUE, 201 & 217 PARK
AVENUE FROM ONE- AND TWO-FAMILY ROW
HOUSE RESIDENTIAL DISTRICT (R-2C) TO
MULTIFAMILY MEDIUM-DENSITY
RESIDENTIAL DISTRICT (R-3B) AND AMENDING
THE ZONING MAP ACCORDINGLY**

RESOLUTIONS INTRODUCED

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| 36.51.16R | RESOLUTION HONORING YOUTH FX AND
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PROCLAIMING MAY 2016 AS BIKE MONTH IN
THE CITY OF ALBANY |

Council Member Fahey introduced the following:

Ordinance Number 38.51.16

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 160, 194 & 196 MYRTLE AVENUE, 201 & 217 PARK AVENUE FROM ONE- AND TWO-FAMILY ROW HOUSE RESIDENTIAL DISTRICT (R-2C) TO MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-3B) AND AMENDING THE ZONING MAP ACCORDINGLY

The City of Albany, in City Council convened, does hereby ordain and enact:

Section 1. Chapter 375 of the Code of the City of Albany (Zoning) and the Official Zoning Map are hereby amended to change the zoning classifications of 160, 194 and 196 Myrtle Avenue, 201 and 217 Park Avenue from One- and Two-Family Row House Residential District (R-2C) to Multifamily Medium-Density Residential District (R-3B), said properties being more particularly described as follows:

All that parcel of land situated in the City of Albany, County of Albany and State of New York, identified on the tax map as follows:

Parcel 1
Section: 76.39
Block: 3
Lot: 10

Said premises more commonly known as 196 Myrtle Avenue measuring approximately 0.06 acres.

Parcel 2
Section: 76.39
Block: 3
Lot: 11

Said premises more commonly known as 194 Myrtle Avenue measuring approximately 0.11 acres.

Parcel 3
Section: 76.39
Block: 3
Lot: 12

Said premises more commonly known as 160 Myrtle Avenue measuring approximately 1.06 acres.

Parcel 4
Section: 76.39
Block: 3

Lot: 13

Said premises more commonly known as 201 Park Avenue measuring approximately 0.76 acres.

Parcel 5

Section: 76.39

Block: 3

Lot: 14

Said premises more commonly known as 217 Park Avenue measuring approximately 0.06 acres.

Section 2. The Council finds and declares that this action is an “Unlisted” action under Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder (SEQRA).

Section 3. This Ordinance shall take effect immediately.

APPROVED
April 22, 2016

Senior Asst. Corporation Counsel

TO: Nala R. Woodard, City Clerk
FROM: William G. Kelly, Jr, Senior Assistant Corporation Counsel
RE: Request for Common Council Legislation
Supporting Memorandum
DATE: April 22, 2016

ORDINANCE NUMBER 38.51.16

TITLE

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 90 AND 92 MCCARTY AVENUE FROM ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT (R-2A) TO MULTIFAMILY LOW-DENSITY RESIDENTIAL DISTRICT (R-3A) AND AMENDING THE ZONING MAP ACCORDINGLY

GENERAL PURPOSE OF LEGISLATION

Change of zoning designations to be consistent with the zoning of the adjacent properties. The change to R-3A will allow for the Addictions Care Center to construct community housing similar to the housing that currently exist in the immediate vicinity.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Amendments regarding zoning must be approved by the Council. Changing the zoning to a the R-3A classification matches the adjacent zoning classifications and will facilitate the proposed development of the property.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

As soon as practicable.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

Unknown at this time.

Council Member Kornegay offered the following:

Resolution Number 36.51.16R

RESOLUTION HONORING YOUTH FX AND COMMENDING THEM FOR THEIR WORK WITH THE YOUTH OF THE CITY OF ALBANY

WHEREAS, Youth FX is an intensive hands-on program designed to introduce young people aged 14-19 to the technical and creative aspects of digital film making by offering a thorough overview of the production process from script to screen. They are located in the South End of Albany, NY and are fiscally sponsored by Grand Street Community Arts, and

WHEREAS, in 9 years Youth FX has grown into a full year program with a six week summer intensive program and after-school programs at Albany High School and Albany Public Library. Youth also work as pre-professional filmmakers creating independent films and documentaries for local non-profits. Youth FX primarily works with young people who reside in the South End, Arbor Hill and West Hill neighborhoods of Albany, NY, areas that have been historically under served and in need of meaningful opportunities for training and engagement in new digital media technology, and

WHEREAS, focusing on visual storytelling, artistic expression and performance, participants create digital video projects in various genres, including documentary, narrative short fiction and public service announcements. Youth FX participants work with experienced media instructors, filmmakers and artists to learn the various aspects of digital video production such as cinematography, editing, sound, and lighting. The skills they are learning not only enable them to be more creative and express their ideas, but they are also valuable skills that are in high demand in today's technology based world. Youth FX participants engage in their communities by creating documentary and short fiction films that reflect their understanding and vision of the world around them, and

WHEREAS, Youth FX films have been recognized regionally, nationally and across the world, screening and winning awards at numerous film festivals and solidifying their place as one of the premiere youth film and media programs in the country. Some of the film festivals the films have been screened at include: Tribeca Film Festival, Los Angeles Film Festival, San Francisco Intl. Film Festival, Chicago Intl. Film Festival, Harlem International Film Festival, CineYouth Chicago, Woodstock Film Festival, Washington DC Independent Film Festival, Guam International Film Festival, Kuala Lumpur Eco Film Festival, Bay Area Children's Film Festival, Roxbury International Film Festival, Rockland Youth Film Festival, Reel Expressions Film Festival, Shadow Boxing Film Festival, Urban Mediamakers Film Festival, Ballston Spa Film Festival and the Citizen Jane Film Festival. Youth FX films have also been selected to air on WMHT's TVFilm for 4 years in a row and were featured on their original program A House For The Arts, and

WHEREAS, for some the Youth FX program is a fun way to be creative with their peers, and for others it is an introduction and immersion into a potential career path. Several of the

students have gone on to film school or to study media and communications in college and some alumni have gone on to produce their own feature films.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany would like to congratulate Youth FX on their success in creating and sustaining this unique program. The Common Council would further like to commend Youth FX for their work with the youth in the City of Albany and providing opportunities and a path to success for many of your youth.

To: Nala, Woodard, City Clerk
From: William G. Kelly, Jr. Senior Asst. Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 22, 2016

RESOLUTION NUMBER 36.51.16R

TITLE:

RESOLUTION HONORING YOUTH FX AND COMMENDING THEM FOR THEIR WORK
WITH THE YOUTH OF THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION:

To officially recognize Youth FX

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:

As explained in resolution.

FISCAL IMPACT:

None.

Council Members Kornegay introduced the following:

Resolution Number 37.51.16R

**RESOLUTION HONORING THE LIFE OF RALPH POWE, ESQ. AND NAMING
A PORTION OF BASSETT STREET IN HIS HONOR**

WHEREAS, Ralph Powe was born July 7, 1914 in Cheraw, South Carolina to Ralph Waldo Emerson and Priscilla Brody Powe. Cheraw is a town on the Pee Dee River in Chesterfield and Marlboro counties, and

WHEREAS, when Ralph was about 8 years old his father relocated the family to Farrell, Pennsylvania to work in the steel mills. But unfortunately, his mother passed away and the family returned to Cheraw. They traveled by train with his mother's body aboard the train with them. Now with no mother, his father was to return to Farrell to continue to work in the steel mills. Ralph Sr. made arrangements with his brothers and sisters to care for the children. The family was very poor and some were sharecroppers. It was decided that the oldest sister who had no children would be the best match to raise the two children, and

WHEREAS, his aunt and uncle instilled the importance of education in Ralph and also taught Ralph music. His first instruments were the violin, a mellophone (similar to French horn) and then the trombone. By the time Ralph was 10, his aunt and uncle passed away leaving him and his sister, Jessie, to be orphans. Ralph lived on the streets, his sister was in one family member's home to another. If it were not for a very close friend he would often go without food. He remained in school though and by high school he was on the debating team which would open doors for him throughout his life, and

WHEREAS, Ralph was accepted into Tuskegee University, where he pursued a degree in education. While at Tuskegee he joined the debating team and won several competitions. Under the direction of his professors and the topics of the debates, his mind was opened to the ideas of civil and human rights, and

WHEREAS, the Dean of Tuskegee had the perceptiveness that Ralph Powe had many talents and personally took interest in him. The dean was instrumental in getting Ralph in to Howard Universities School of Law. After becoming an attorney and starting his practice, he was drafted into the Army, and

WHEREAS, after serving in the military he began his law career in Washington, DC and then relocated to New York City. While practicing in New York City, he aligned himself with people who shared his views on Civil and Human Rights. As an attorney, he represented many historical legal cases in several states and before the United States Supreme Court. He was a member of the American Labor Party. In 1954 he ran for New York State Comptroller – the first African American to run for a state wide election. In 1960, Ralph relocated to Albany and worked with Zuckman and Zuckman, on 237 South Pearl. He then opened his own practice and

started an insurance agency located at 330 South Pearl Street - "The Ralph E. Powe Agency," and

WHEREAS, the Agency became a hub for not only the residents of the South End but for all of Albany. Once it was known that this was a Black owned business, the first African American insurance broker, residents from all of the City of Albany flocked to his business. Ralph Powe, being the first African American insurance broker opened the doors for African Americans in Albany, especially the residents of the South End to more insurance companies and better rates. This was not previously afforded to African Americans in Albany. He served as an insurance agent, as an attorney, he counseled many individuals as well as several community organizations such as the NAACP. He was a role model and a mentor to young African American males. As a friend to many people, he was fondly known as "Mr. Ralph". Still maintaining his business, he served as the Associate Director of the Albany Urban League. In this position he was able to get local businesses to hire and train many people to go out in the workforce, and

WHEREAS, during his lifetime, he received the 1992 Frederick Douglas Award, the 2003 President's Award of the United States Colored Troops Institute, the highest accolade given for outstanding efforts and contributions during the modern Civil Rights era; and the 2003 Oneonta NAACP Thurgood Marshall Unity Award.

NOW, THEREFORE, BE IT RESOLVED, that in recognition of the life of this extraordinary unsung hero of the war on civil and human rights, honorary street signs to read "Ralph Powe Way" shall be placed adjacent to the existing Bassett Street sign at the intersection of Bassett Street and South Pearl Street and at the intersection of Bassett Street and Green Street.

RESOLVED, that a copy of this resolution, suitably engrossed be transmitted to the family of Ralph Powe, Esq.

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr. Senior Asst. Corporation Counsel
Re: Supporting Memorandum
Date: April 22, 2016

Resolution Number 37.51.16R

TITLE:

RESOLUTION HONORING THE LIFE OF RALPH POWE, ESQ. AND NAMING A
PORTION OF BASSETT STREET IN HIS HONOR

GENERAL PURPOSE OF LEGISLATION:

To designate a portion of Bassett Street as “Ralph Powe Way.”

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:

To recognize the life of this extraordinary resident of Albany.

FISCAL IMPACT:

None.

Council Members Kornegay and Fahey offered the following at the request of Common Council President McLaughlin:

Resolution Number 38.51.16R

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY
OPPOSING THE PILGRIM PIPELINE**

WHEREAS, Pilgrim Pipeline Holdings, LLC, is proposing to build two pipelines and/or related infrastructure through the City of Albany that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

WHEREAS, the pipelines would carry oil from the Bakken Shale region of North Dakota extracted through a process that includes hydraulic fracturing, or “fracking,” and this process has been found to contaminate clean water resources, create toxic air emissions and radioactive waste, and release large quantities of methane gas into the atmosphere; and

WHEREAS, data collected by the Capline Pipeline in Louisiana, which tested crude from 86 locations worldwide, indicates that crude oil from Bakken Shale has a far higher vapor pressure than crude from dozens of other locations, making it much more likely to release combustible gases; and

WHEREAS, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a safety alert on January 2, 2014, to the general public, emergency first responders, and shippers and carriers regarding the particular flammability of Bakken crude oil; and

WHEREAS, the Pipeline would carry a large volume of Bakken crude oil in close proximity to residential areas in the City of Albany, which would place residents in harm’s way should an explosion or spill occur; and

WHEREAS, according to PHMSA, pipeline operators reported 1,880 crude oil spills incidents nationwide between 2003 and 2013, or nearly one incident every other day, resulting in over 44,265,438 gallons of oil being spilled; and

WHEREAS, 80 percent of these incidents were the result of corrosion, equipment failure, incorrect operation or material and weld failures; and

WHEREAS, according to Public Employees for Environmental Responsibility, PHMSA only has 135 inspectors to oversee 2.6 million miles of pipeline, and only a fifth of that pipeline system has been inspected by PHMSA or its state partners since 2006; and

WHEREAS, any rupture or compromise of the pipelines, even without an explosion or fire, would require extraordinary cleanup efforts, could force residents from their homes, and place a large number of residents in close proximity to hazardous materials; and

WHEREAS, City of Albany residents depend on ground water and public community water systems for potable water supplies, the integrity and safety of which may be jeopardized by construction and operation of the pipelines; and

WHEREAS, the Pilgrim pipelines also threaten important surface water resources, including the Hudson River; and,

WHEREAS, the City of Albany finds that the proposed Pilgrim pipelines potentially threatens the health, safety, and welfare of the community; could decrease the values of homes in nearby neighborhoods; and could negatively impact potential future development in the City of Albany; and

WHEREAS, the New York State Energy Plan sets clean energy targets of a 40% reduction in greenhouse gas emissions from 1990 levels, 50% of energy generation from renewable resources, and 600 trillion Btu increase in energy efficiency, all by 2030, and also provides a comprehensive roadmap for building a clean, resilient, and affordable energy system for all New Yorkers; and

WHEREAS, construction of the Pilgrim pipelines to support and expand markets for fossil fuels is directly contrary to these regional and statewide clean energy plans and goals;

NOW, THEREFORE BE IT RESOLVED, that the City of Albany calls upon the New York State Thruway Authority, the New York State Department of Transportation (DOT) and the Federal Highway Authority to reject use of the Thruway's right-of-way for the purpose of transporting oil or gas by pipeline; and

BE IT FURTHER RESOLVED, that the City of Albany urges Governor Cuomo to reject construction of the Pilgrim pipelines in New York as inconsistent with the ambitious clean energy goals he has set for the State; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the NYS Thruway Authority Executive Director Robert Megna, NYS DOT Commissioner Matt Driscoll, the Federal Highway Administration Division Administrator; U.S. Senators Charles Schumer and Kirsten Gillibrand and Congressman Paul Tonko, Governor Andrew Cuomo, Senator Neil Breslin and Assembly Members Patricia Fahy and John McDonald, and NYS DEC Commission Basil Seggos.

To: Nala, Woodard, City Clerk
From: William G. Kelly, Jr. Senior Asst. Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 22, 2016

Resolution Number 38.51.16R

TITLE:

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY OPPOSING
THE PILGRIM PIPELINE

GENERAL PURPOSE OF LEGISLATION:

To express the official opposition to the Pilgrim Pipeline by the City of Albany Common
Council.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:

As explained in resolution.

FISCAL IMPACT:

None.

Council Member Golby introduced the following:

Resolution Number 39.51.16R

RESOLUTION OF THE COMMON COUNCIL PROCLAIMING MAY 2016 AS BIKE MONTH IN THE CITY OF ALBANY

WHEREAS, in 2009, the City of Albany, in partnership with the Capital District Transportation Committee (CDTC) completed a Bicycle Master Plan identifying a network of bicycle routes to improve cycling as a viable mode of transportation throughout the City; and

WHEREAS, in April 2012, the Albany Common Council adopted the “Albany 2030” Comprehensive Plan which supports promoting and implementing the Bicycle Master Plan; and

WHEREAS, the growing network supports a safe and healthy transportation option that is paramount to achieving sustainability and enhancing the quality of life in the City; and

WHEREAS, in 2013 the Albany Common Council adopted a Complete Streets Ordinance and the Albany Police Department convened a Traffic Safety Stakeholders' Committee to focus on Engineering, Education and Enforcement efforts to promote safer streets for all users of the road; and

WHEREAS, in partnership with CDTC, a Complete Streets Guidebook is being drafted, as required by the Complete Streets ordinance and a Waterfront Multi-use Path Connection Feasibility study is being conducted. It is anticipated that the guidebook and the study will be completed in 2016; and

WHEREAS, The Corning Riverfront Park Transportation Enhancements project, set to be completed this fall, will improve cycling along the waterfront by adding additional multi-use paths within the Park, installing wayfinding signage, adding bicycle racks, and improving the connections between the Riverfront and adjacent City streets. A bicycle rail will be also be installed at the steps leading up to the pedestrian bridge; and

WHEREAS, since the inception of the Bicycle Master Plan in 2008, the City of Albany has added or improved 20.3 miles of bicycle infrastructure, which includes multi-use paths, shared use markings (sharrows), signage, and bike lanes throughout the City of Albany and the City is continuing to look for opportunities to improve bicycling within the City; and

WHEREAS, all regular route Capital District Transportation Authority buses are equipped with bike racks; and

WHEREAS, Each year the League of American Bicyclists (LAB) recognizes bicycle friendly communities with Platinum, Gold, Silver and Bronze level awards, and recognizes communities that are on the right track with Honorable Mention. The City of Albany received Honorable Mention in 2012 as a “Bicycle Friendly Community” from LAB for efforts to become more bicycle friendly. LAB feedback report stated that they were,

“...impressed with the growing commitment to make Albany, NY a great place for bicyclists. The Honorable Mention given by the reviewers reflects their view that some of the key building blocks of creating a Bicycle Friendly Community are in place...;” and

WHEREAS, the LAB feedback report provided numerous recommendations to the City of Albany to make the city more bicycle friendly such as promoting active transportation by reducing traffic speeds, providing “protected bicycle infrastructure, such as cycle tracks, buffered bike lanes or parallel shared use paths” along arterial and collector roads, making intersections safer for bicyclists, and more; and

WHEREAS, in 2014, CDTC implemented the first region-wide “Bike to Work Day Workplace Challenge” where in 2015, the 2nd year of the event, over 400 people registered for the challenge, amounting to over 4,000 bicycle miles, replacing about 166 gallons of fuel, 3,300 lbs of CO₂, and burning about 180,000 calories. And, the City of Albany Employees team won for the second year in a row in Albany County for the employer with the highest number of participants; and

WHEREAS, the Mayor's Office of Energy & Sustainability was established in 2010 to coordinate energy conservation and efficiency initiatives among the municipal departments and to drive community wide efforts to become a more livable and sustainable city, which includes promoting and supporting bicycling and other active transportation. The office's website is www.albanysustainability.org; and

WHEREAS, in 2011, the Albany Common Council, recognizing the Livingston Avenue Bridge's potential to connect a growing network of statewide multi-use trails, including the New York State Canalway Trail, the Albany County Rail Trail, and the proposed Rensselaer County Trail, passed a resolution urging State and Federal partners to re-establish the Livingston Avenue Bridge walkway at such time that the bridge is replaced and

WHEREAS, the League of American Bicyclists, the New York Bicycling Coalition, CDTC's Capital Coexist, the Albany Police Department, the Albany Bicycling Coalition, and others are promoting greater public awareness of bicycle operation and safety education in an effort to reduce crashes, injuries and fatalities for all; and

WHEREAS, the Albany Police Department will participate in “Bike to School Day” and bike rodeos across the city along with the Police Athletic League; and

WHEREAS, Section 152 of the New York State Traffic Law defines “traffic” as “Pedestrians...vehicles, bicycles and other conveyances either singly or together while using any highway for the purpose of travel;” and

WHEREAS, in summary, three key components of the New York State Traffic Law that relate to bicycling are:

1. Bicyclists must ride with traffic and thus travel in the same direction as motor vehicles.
2. A bicycle is a vehicle and as such must observe all traffic laws and obey all signals, signs, and pavement markings.

3. Bicyclists must signal to turn on a roadway, a bike lane or bike path; and

WHEREAS, there are numerous events to promote bicycling, including: **Bike to School Day on May 4th, Albany PAL and Albany Police Department Bicycle Rodeos on May 7, May 14 and May 21st**, National Bike-to-Work Day, The Ride of Silence on May 18th, and the Capital Moves Bike to Work Challenge on May 20th;

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council hereby proclaims May 2016 as Bike Month in the City of Albany, urges all motorists and bicyclists to follow New York State's Vehicle and Traffic Law, and share the road respectfully and responsibly.

To: Mr. Nala Woodard, City Clerk
From: William G. Kelly, Jr. Senior Asst. Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 22, 2016

RESOLUTION NUMBER 39.51.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL PROCLAIMING MAY 2016 AS BIKE MONTH
IN THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

To promote bicycle safety and awareness for bicyclists, pedestrians and motorists, and to promote the
environmental and health benefits of bicycle riding during bike month and throughout the year.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

It is important that members of the public understand bicycle safety. No change to existing law.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

It is requested that this be passed prior to May to provide ample time to promote May as Bike Month.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A
